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**REQUEST
FOR
Continued Examination (RCE)
TRANSMITTAL**

Address to:
Commissioner for Patents
P.O. Box 1450, Mail Stop RCE
Alexandria, VA 22313-1450

| | |
|--------------------------|------------------|
| Application Number | 09/943,138 |
| Filing Date | August 30, 2001 |
| First Named Inventor | DYER, Wallace |
| Group Art Unit | 1639 |
| Examiner Name | Epperson, Jon D. |
| Attorney Document Number | Dyer2 |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 C.F.R. § 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. Previously Submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked

- i. Consider the amendments in the Appeal Brief or Reply Brief previously filed on _____
- ii. Other _____

b. Enclosed

- i. Amendment/Reply
- ii. Affidavit(s)/Declaration(s)
- iii. Information Disclosure Statement (IDS)
- iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)

- b. Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1507
- i. RCE fee required under 37 C.F.R. § 1.17(e)
- ii. Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. Other _____

- b. Check in the amount of \$ _____ enclosed

- c. Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|-------------------|------------------------------|-----------------------------------|----------------|
| Name (Print/Type) | Mary Anthony Merchant, Ph.D. | Registration No. (Attorney/Agent) | 39,771 |
| Signature | | Date | August 2, 2005 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office with fax number 571.273-8300 on the below-identified date

| | |
|-------------------|------------------------------|
| Name (Print/Type) | Mary Anthony Merchant, Ph.D. |
| Signature | |

Date August 2, 2005

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